

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN
COURT FILE NO.: 18-cv-00482**

Kristal Chaves,

Plaintiff,

v.

Ace Debt Recovery, LLC,
Kwik Trip, Inc.

Defendant.

**PLAINTIFF'S RESPONSE TO
DEFENDANT'S MOTION TO DISMISS**

Plaintiff submits this memorandum in response to Ace Debt Recovery, LLC's Motion to Dismiss Complaint (Doc. 11-12). After Ace Debt Recovery, LLC filed its Motion to Dismiss, the Plaintiff filed an amended complaint. (Doc. 13). "When a plaintiff files an amended complaint, the new complaint supersedes all previous complaints and controls the case from that point forward." *Massey v. Helman*, 196 F.3d 727, 735 (7th Cir. 1999). See also *Spencer v. Thomas*, 30 Fed. Appx. 636, 640 (7th Cir. 2002) (interpreting *Massey* to mean that "an amended complaint supersedes and 'wipes away' all prior complaints"). Accordingly, the filing of the Amended Complaint renders the Motion to Dismiss by Ace Debt Recovery, LLC as moot.

Respectfully submitted,

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